



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

February 1, 2012

Ms. Susan Hedman
Regional Administrator
U.S. EPA, Region V, R-19J
77 West Jackson Boulevard
Chicago, Illinois 60604-3507

Dear Ms. Hedman:

Re: Beck's Lake Site
South Bend, St. Joseph County, Indiana
- Designation as a Superfund Alternative
Approach

The Indiana Department of Environmental Management (*IDEM*) is providing this letter to convey its support to the United States Environmental Protection Agency (U.S. EPA) regarding the designation of the Beck's Lake Site located in South Bend, St. Joseph County, Indiana, as a Superfund Alternative Approach (SAA). The Beck's Lake Site, U.S. EPA ID# IND980904379, is bordered on three sides by residential housing and on one side by a wooded area. The site includes a city park (*LaSalle Park*) and an adjacent apartment complex.

The source of the contamination at LaSalle Park is historic dumping of waste material that took place there from the 1930's through the 1970's. The Beck's Lake area was once filled with waste material from a nearby manufacturer of automotive parts. The waste material was contaminated with high levels of arsenic and lead. As a result, there appears to be ongoing potential exposure of residents including but not limited to residents of the adjacent apartment complex, which is located at the western edge of the fill area that is contaminated with levels of arsenic considered unsafe for residential settings. The neighborhood around the site has readily apparent environmental justice implications. Historically, the community near Beck's Lake (*LaSalle Park*) has been vocal about their concerns for environmental conditions surrounding this site.

The threshold eligibility criteria for using the Superfund Alternative Approach are:

- 1) Site contaminants are significant enough that the site would be eligible for listing on the National Priorities List of Hazardous Waste Sites (*NPL*) because the site would have a Hazard Ranking Score (*HRS*) ≥ 28.5 .
- 2) The site requires a long term response action.

- 3) There is a willing and capable potentially responsible party (PRP) to perform the investigation or cleanup.

A SAA approach would allow for proper and timely investigation of the nature and extent of the contamination and enable the responsible party or parties to determine cleanup alternatives for the impacted area that adequately protect the health of affected individuals while preserving federal funds. A SAA designation appears to be the most viable alternative for addressing the existing environmental problems surrounding the Beck's Lake Site. If in the future, the U.S. EPA determines that the responsible party or parties are not willing or capable of performing the investigation of the Beck's Lake Site, IDEM would support the decision to include the Beck's Lake Site on the NPL.

As the Commissioner of IDEM, I am authorized by Indiana Governor Mitchell E. Daniels to act in these matters on his behalf. I have considered my staff's recommendations and I fully support the designation of the Beck's Lake Site as a SAA site under supervision of the U.S. EPA. I request that the U.S. EPA assign staff appropriate to implement the process of the SAA. To expedite the process and reduce administrative expense, IDEM will share available site information with U.S. EPA.

If you require any additional information or have any additional questions please don't hesitate to contact Gabriele Hauer, Chief of the Site Investigation Section at (317) 233-2773.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Easterly', with a long horizontal flourish extending to the right.

Thomas W. Easterly
Commissioner

cc: Denise Boone, U.S. EPA
Nuria Muniz, U.S. EPA
Colleen Moynihan, U.S. EPA
Mary Fulghum, U.S. EPA

Date: 1-30-12

DELIBERATIVE AND CONFIDENTIAL

Briefing Paper

Indiana Department of Environmental Management

Site Name, City and County: Beck's Lake Site, South Bend, St. Joseph County

Issue:

- A city park and nearby residences have been impacted with elevated levels of arsenic from historic dumping of industrial waste from the 1930's to 1970's. The source of the contamination was a former dumpsite used by the Bendix Corporation. The Bendix Corporation deposited their waste material into the dump which was not far from their manufacturing facility. The dumpsite was converted into a city park with a small pond, now known as LaSalle Park. Beck's Lake is part of LaSalle Park.
- The Beck's Lake site qualifies to be included on the National Priorities List (NPL) of Hazardous Waste Sites and is being proposed for a Superfund Alternative Site under the authority of the Comprehensive Environmental Response Compensation and Liability Act of 1984 (CERCLA).

Superfund Alternative Site Approach:

U.S. EPA has two main paths to achieve cleanup at Superfund caliber sites that require long-term remediation. The traditional path involves EPA listing the site on the NPL, identifying the PRPs, and working with them to secure the cleanup or payment for cleanup. The alternative is known as the Superfund Alternative Approach ("SA" or "SAA"), which is designed to parallel the NPL path with the exception of listing the site on the NPL. A SAA site should:

- be eligible for inclusion on the NPL (*i.e.*, currently proposed to the NPL, or would score above 28.5);
- require long-term response action; and
- have financially viable and capable PRPs that the U.S. EPA Region believes are willing to perform the cleanup work under an appropriate settlement agreement.

IDEM's Position/Action:

- IDEM, under a Cooperative Agreement with the U.S. EPA, Region V, conducted an Expanded Site Inspection at the site in an attempt to determine the source of the arsenic contamination in residential yards. Sampling results from the investigation indicated that residential soils near Beck's Lake contained elevated levels of arsenic, exceeding benchmarks for health risks.
- The responsible party is believed to be Honeywell Corporation through their acquisition of Bendix, and Allied Signal's former holdings. Because Honeywell appears to be a viable RP and the site is a Superfund caliber site, it is recommended that the Beck's Lake Site should be given a Superfund Alternative Approach designation unless the responsible party proves recalcitrant.

History: The Beck's Lake Site is currently owned by the City of South Bend's Parks Department. The Park was acquired from the South Bend Redevelopment Commission in 1960. Historical aerial photos document that prior to the property's development for a park the site was used as a dumpsite for industrial material since as early as 1938. A CERCLA 103(c) notification prepared by the Bendix Corporation identified this site as a location where they disposed of materials including but not limited to asbestos, plating wastes, solvents, paint wastes, oils and sludges, and foundry sand that contained among other contaminants, arsenic. Part of the original filled area was divided off by Falcon Street and has subsequently

become residential property. The rest of the filled area is now LaSalle Park. Beck's Lake is within the boundaries of LaSalle Park.

CERCLIS actions at the site began in 1985 with a Preliminary Assessment. A Site Inspection was conducted there in 1989, an Expanded Site Inspection was conducted in 1996, and the site was archived in the same year. In 2003, the site was reopened with a Reassessment (RA) as a result of the findings of a Brownfields Program Environmental Assessment. The findings of the RA revealed that arsenic levels in the nearby neighborhood to Beck's Lake were elevated. A second ESI conducted in 2010 identified the Beck's Lake site as a source for the elevated levels of arsenic.

Community Position: The area surrounding Beck's Lake is an environmental justice area. The residents of the neighborhood were sensitive to the possibility that fish in Beck's Lake may not be completely safe to consume. This information was discussed in a public meeting at the Brownfield Environmental Assessment stage. Some residents also fear what is buried under a hill on the park property adjacent to Beck's Lake. The hill is obviously man made but it is unclear whether the hill consists of building debris from the demolition of public housing that once sat on the site or whether it is overburden from the actual construction of Beck's Lake.

Impact: Elevated levels of arsenic from the industrial dumping at Beck's Lake have adversely impacted adjacent residential soils. Remediation of the site is needed to make the residential soils near Beck's Lake safe for residential use.

Next Steps:

- The Commissioner's signature on the attached letter is required for designating the site as a SAA.
- The U.S.EPA, Region 5, will propose to EPA headquarters to designate the site a Superfund Alternative Approach site.
- U. S. EPA will negotiate with the responsible party for Bendix's former activities to address the contamination near Beck's Lake. The responsible party is believed to be Honeywell Corporation through their acquisition of Bendix, and Allied Signal's former holdings.

Additional Comments:

For More Information Contact:

Gabriele Hauer, Section Chief
Site Investigation Program
233-2773